



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/806,569

03/22/2004

Gianfranco Guderzo

CAM3-PT100

2190

3624 7590 03/18/2008

VOLPE AND KOENIG, P.C.
UNITED PLAZA, SUITE 1600
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

EXAMINER

TO, TUAN C

ART UNIT

PAPER NUMBER

3663

MAIL DATE

DELIVERY MODE

03/18/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/806,569	Applicant(s) GUDERZO, GIANFRANCO	
	Examiner TUAN C. TO	Art Unit 3663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 4, 12-17, 20, 24, 28 and 29 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 and 7 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 8-11, 18, 19, 21-23, 25-27 and 30-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 31-40 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The new claims 31-40 recite "previously stored values". There is no disclosure to describe said previously stored value or how said previously stored values are loaded into the second unit.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

Art Unit: 3663

by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1, 5, 8-11, 18, 19, 21-23, 27, and 30-40 are rejected under 35 U.S.C. 102

(b) as being anticipated by Campagnolo (US 20010027495A1).

With respect to claims 1, 10, 11, 18, 27, the primary reference to Campagnolo direct to a system for controlling the operating functions of a cycles (Campagnolo, figure 2), in which the first unit (10) is selectively removed from the second unit (20), and that the second unit (20) implements a set of basic locomotion functions when the first unit (10) is removed from the cycle (Campagnolo, page 1, paragraphs 0019, and 0020; Furthermore, see figure 1, and paragraph 0053).

With regard to claims 5 and 9, Campagnolo teaches that the second unit (20) includes a microprocessor (203) for performing set of basic locomotion functions, for example, receiving input from sensors connected to said microprocessor (203).

With regard to claim 8, the first unit (10) is a display unit (Campagnolo, figure 2; page 1, paragraph 0015).

With regard to claims 19, 21-23, Campagnolo further discloses some push-buttons which are used as hand operable means (Campagnolo, page 3, paragraph 0055).

With regard to claims 30-40, the primary reference to Campagnolo direct to a system for controlling the operating functions of a cycles (Campagnolo, figure 2), comprising at least one display unit that provides information regarding the functional operation of a cycle in human readable form (figure 2 and the associated text in paragraph 0015, and paragraph 0040, show the display unit 10 provides functional

operation of a cycle in human readable form). Campagnolo further discloses a second control unit (20), and that the second unit (20) implements a set of basic locomotion functions when the first unit (10) is removed from the cycle (Campagnolo, page 1, paragraphs 0019, and 0020; In addition, see figure 1, and paragraph 0053).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campagnolo (US 20010027495A1) and in view of Uno (US 20030160686A1).

With respect to claim 2, Campagnolo fails to direct the limitation “function of controlling, through corresponding controls associated to the second unit, a first actuator controlling a gear shift of the cycle and a second actuator controlling a derailleur of the cycle”.

Uno has been cited to overcome the missing feature from Campagnolo (Uno, page 2, paragraph 0022).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Campagnolo to include the teachings as taught in Uno so that a bi-cycle user is comfortable when shifting from one gear to another gear while the user continues on his (her) ride.

With regard to claim 3, Uno teaches another system for controlling the operating functions of a cycle, including function of controlling the first actuator and a second actuator is enabled in a manual mode that permits manual operation of the actuators (see Uno, page 3, paragraph 0027).

Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campagnolo (US 20010027495A1) and in view of Takeda (US 20030078716A1).

As to claims 25, and 26, Campagnolo fails to teach that the display unit directs the control/power unit to perform at least the following tasks: resetting the home position of the actuator, compensating for misalignments in the part, allowing the person to manually operate the actuator, and allowing the person to automatically operate the actuator.

The new found reference to Takeda teaches a system for controlling the operating system of a bicycle including a display unit (24) (see figure 2) directs the control unit (23) (figure 3) to perform the tasks of "resetting the home position of the actuator, compensating for misalignments in the part, allowing the person to manually operate the actuator, and allowing the person to automatically operate the actuator" (paragraph 0019 and 0032, the home position of an actuator is reset when the mode switch is activated, the compensating for misalignment in the part has been performed

Art Unit: 3663

when either upshift or downshift button is used, the bicycle operates in automatic mode and manual mode).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Campagnolo to include the teachings as taught in Takeda to gain advantage of effectively operating different functions of a bicycle.

Allowable Subject Matter

Claims 6 and 7 are allowable because the examiner has found none of the reference discloses the limitation of "wherein said first unit is removably connected to said second unit by means of at least one electrical connection, which can be disconnected by leaving exposed on said second unit at least one contact part, and in that associated to said at least one electrical connection is at least one switch, which can be selectively actuated for electrical insulation of said exposed distal contact part from said second unit".

Response to Arguments

The applicant's amendment and remarks filed on 01/9/2008 has been fully considered, however, they are not persuasive.

The applicant traverses the previous rejection for the reasons the cited reference to Campagnolo does not teach or suggest a two unit system that is usable in the absence of one unit. The applicant specifically pointed out Campagnolo paragraph [0019] merely teaches the interface block 10 is removable, and that said paragraph

teaches nothing about what effect this removable has on the managing second block 10.

Campagnolo does suggest a unit system that comprises at least one first unit and a one second unit, and that system usable in the absence of one unit. Campagnolo teaches an electronic control system for cycles, for use in association to a set of sensors, a set of actuators, and a set of control units associated to the cycle, comprises at least a first process unit (10), a second processor unit (20). The processor unit (10) has a function of display and management interface of the system. The second processor unit (20) is designed to function as an interface and module for managing the requests made by the user. In paragraph 0019, Campagnolo teaches that the processor unit (10) can be selectively removed from the cycle. In the case of removal of the processor unit (10), which has the function of a display unit, the processor unit (20) intervenes on the system 1 inhibiting complete functionality of the latter, or, at least, as regards the functions linked to the presence of the processor unit (10) (see figure 1, and paragraph 0053).

For that reason, the claims listed above, except for claims 6 and 7, would not be patentable over the cited prior art.

Conclusions

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/806,569
Art Unit: 3663

Page 9

/Tuan C To/

Acting Examiner of Art Unit 3663/3600

March 4, 2008